

DETERMINATION AND FINDINGS
FOR
SINGLE AVAILABLE PROCUREMENT

AGENCY: Department of Youth Rehabilitation Services

CONTRACTOR NO.: DCJZ-2008-H-0006

CONTRACTOR: Kids Peace Mesabi Academy

CAPTION: Residential Treatment Services

1. AUTHORIZATION:

D.C. Code § 2-354.04 and 27 DCMR § 1701

2. MINIMUM NEED:

The Department of Youth Rehabilitation Services (DYRS) has a continued need for a contractor to provide Residential Treatment Services in accordance with court orders imposed by the D. C. Superior Court for youth involved in the District of Columbia's juvenile justice system.

The period of performance will be October 1, 2012 through April 30, 2013.

ESTIMATED FAIR AND REASONABLE COST:

The estimated fair and reasonable price to provide the required services for the period October 1, 2012 through April 30, 2013 is not to exceed \$900,000.00 and is based on services rates under Option Year 4 of the current Human Care Agreement. The rates have been determined fair and reasonable based on the current rates paid by the District.

3. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

The Department of Youth Rehabilitation Services is requesting an extension through April 30, 2013 of Kids Peace Mesabi Academy's Human Care Agreement that provides Residential Treatment Services. This request is being made because the Human Care Agreement is in the last option year and will expire September 30, 2012.

The Residential Treatment Services provided by Kids Peace Mesabi Academy serves approximately six to eight youths who have been adjudicated in the District of Columbia's

juvenile justice system. Each youth's typical length of stay may range from 30 to 365 days with an average length of stay between six and nine months.

Kids Peace Mesabi Academy provides specialized treatment and educational services to address delinquency and mental health issues of youth, to include: residential treatment services, residential sex offender treatment services for delinquent youth, residential fire setter treatment services for delinquent youth, residential substance abuse treatment services for delinquent youth, residential treatment services for developmentally delayed/mentally challenged delinquent youth and residential treatment services for delinquent youth with co-occurring disorders, such as substance abuse and emotional disturbance.

Kids Peace Academy is currently providing satisfactory services and is uniquely positioned to ensure continuity of service through its established infrastructure and demonstrated capacity in providing the services for the past five years.

A Human Care Agreement Solicitation for Residential Treatment Services was issued, however All of potential providers that submitted qualification records were deemed not qualified. The District is in process of resoliciting for this service but will be unable to complete the procurement process by September 30, 2012.

In order to prevent a service disruption the District has a need to extend its present Human Care Agreement with Kids Peace Mesabi Academy to April 30, 2013 to allow for the completion of the competitive procurement process to procure new Residential Treatment Service's Providers. Under this extension, Kids Peace Mesabi Academy will continue to provide services as presently outlined in the Human Care Agreement DCJZ-2008-H-0008.

In consideration of the District's minimum need and the fact that a competitive solicitation is under way a market survey was not conducted.

5. CERTIFICATION BY THE AGENCY HEAD:

I hereby certify that the findings set forth above are true, correct, and complete to the best of my knowledge and that the proposed contract extension is in the best interest of the District of Columbia.

Neil Stanley
Director
Department of Youth Rehabilitation Services

Date

6. CERTIFICATION BY CONTRACTING OFFICER:

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the sole source notice of Intent to Award a Sole Source Contract and Sole Source D&F was posted on the OCP website and no valid responses were received regarding the posting. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Jeanne Mirabile
Contracting Officer
Office of Contracting and Procurement

Date

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.04. Accordingly, I determine that the District is justified in using the sole source method of procurement.

James D. Staton, Jr.
Chief Procurement Officer
Office of Contracting and Procurement

Date